

REMARKS

Claims 1-34 are pending in the present application. Claims 1, 21 and 28 are independent claims.

Allowed Claims

Applicant appreciates Examiner's indication of allowance of claims 21-34, including independent claims 21 and 28. Applicant respectfully submits, in view of the remarks below, that all claims are allowable in their present form.

35 U.S.C. 102(b) Keskitalo

Claims 1, 2 and 4 stand rejected under 35 U.S.C. 102(b) as being anticipated by Keskitalo. Applicant respectfully traverses this art grounds of rejection.

Keskitalo discloses a method for transmitting a pilot signal and a cellular radio system. The Examiner alleges that Keskitalo discloses all of the claim features of independent claim 1. Keskitalo discloses a means for transmitting a pilot signal by using a narrow changing antenna beam and a means for controlling the angle of the greatest gain of the antenna beam in such a way that the antenna beam sweeps the cell area (column 4, lines 25-29). Keskitalo further states "... the transmit power used with some antenna beams can be independently adjusted, or the direction angle α_j of some antenna beams can be changed by a given angle $\Delta\alpha$, or the number of the antenna beams used can be altered." (column 15, lines 44-47). However, the "given angle" is merely a deflection, or offset, of an already determined angle (i.e. direction) for the transmission beam. Keskitalo goes on to state that "since the directional angle of an antenna beam continuously vibrates around a nominal directional angle, a signal that is propagated over the radio path does not continuously use the same route" (column 15, lines 57-60). Therefore, Keskitalo does not disclose or

suggest determining a direction in which to transmit, but rather determining adjustments to the angle of transmission to oscillate a transmission beam within a nominal range of the angle of transmission. Thus, Keskitalo cannot disclose or suggest “determining a resultant antenna radiation direction” as recited in independent claim 1.

As such, claims 2 and 4, dependent upon independent claim 1, are likewise allowable over Keskitalo at least for the reasons given above with respect to independent claim 1.

Applicant respectfully requests that the Examiner withdraw this art grounds of rejection.

35 U.S.C. 103(a) Keskitalo & Petri

Claim 3 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Keskitalo in view of Petri. Applicant respectfully traverses this art grounds of rejection.

Applicant initially agrees with the Examiner in that Petri “fails to specifically disclose the resultant antenna radiation direction, as defined as including essential vector to representing a peak gain of a main lobe of radiation, a first limit vector representing a first limit of radiation direction states, and a second limit vector representing a second limit of radiation direction states” (page 3 of the Office Action). Applicant respectfully submits that even if Petri were to teach these particular features of claim 3, Petri is insufficient in overcoming the deficiencies of Keskitalo with respect to independent claim 1.

As such, claim 3, dependent upon independent claim 1, is likewise allowable over Keskitalo and Petri at least for the reasons given above with respect to independent claim 1.

Applicant respectfully requests that the Examiner withdraw this art grounds of rejection.

35 U.S.C. 103(a) Keskitalo & Avidor

Claim 8 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Keskitalo and Avidor. Applicant respectfully traverses this art grounds of rejection.

Applicant initially agrees with the Examiner in that Keskitalo “fails to specifically disclose organizing the measure of signal strengths into a location measurement data structure” (page 4 of the Office Action). Applicant respectfully submits that even if Avidor were to teach this one particular feature of claim 8, Avidor is insufficient in overcoming the deficiencies of Keskitalo with respect to independent claim 1 as discussed above.

As such, claim 8, dependent upon independent claim 1, is likewise allowable over Keskitalo and Avidor at least for the reasons given above with respect to independent claim 1.

Applicant respectfully requests that the Examiner withdraw this art grounds of rejection.

Reconsideration and allowance of all pending claims is respectfully requested.

CONCLUSION

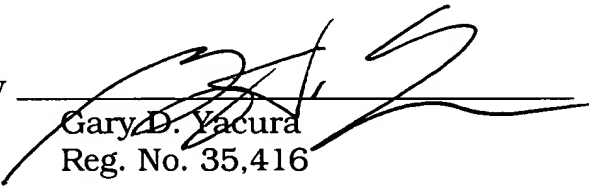
In the event that any matters remain at issue in the application, the Examiner is invited to contact the undersigned at (703) 668-8000 in the Northern Virginia area, for the purpose of a telephonic interview.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY & PIERCE, P.L.C.

By


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GDY/DAP:krf